

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS**

<b>ANDREW TYDALL</b> <b>Plaintiff,</b>	)	<b>JURY TRIAL DEMANDED</b>
	)	
	)	
<b>v.</b>	)	<b>Case No.</b>
	)	
<b>MERCHANTS AND PROFESSIONAL</b>	)	
<b>COLLECTION BUREAU, INC.</b>	)	
<b>Defendant.</b>	)	
	)	

---

**COMPLAINT AND DEMAND FOR JURY TRIAL**

---

**I. INTRODUCTION**

1. This is an action for actual and statutory damages brought by Plaintiff Andrew Tyndall (hereinafter “Plaintiff”) an individual consumer, against Defendant, Merchants and Professional Collection Bureau, Inc., (“hereinafter “Defendant”) for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 *et seq.* (hereinafter “FDCPA”), which prohibits debt collectors from engaging in abusive, deceptive and unfair collection practices.

**II. JURISDICTION AND VENUE**

2. Jurisdiction of this court arises under 15 U.S.C § 1692k(d) 28 U.S.C 1331. Venue in this District is proper in that the Defendant transacts business in Tyler, Smith

County, Texas, and the conduct complained of occurred in Tyler, Smith County, Texas.

### **III. PARTIES**

3. Plaintiff is a natural person residing in Tyler, Smith County, Texas. Plaintiff is a consumer as defined by the Fair Debt Collection Practices Act, 15 U.S.C. §1692a(3).
4. Upon information and belief, Defendant is a Texas corporation with its principal place of business located at 5508 Parkcrest Dr, Unit 210, Austin, TX 78731.
5. Defendant is engaged in the collection of debt from consumers using the mail and telephone. Defendant regularly attempts to collect consumer debts alleged to be due to another.

### **IV. FACTS OF THE COMPLAINT**

6. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C 1692a(6).
7. On or about August 17, 2020, Plaintiff reviewed his credit report on “credit karma.”
8. On the report, Plaintiff observed a trade line from Defendant.
9. Defendant furnished a trade line of \$104, allegedly owned to Tyler Radiology Associates.
10. On or about August 17, 2020, Plaintiff made a dispute to Defendant via telephone. However on December 18, 2020, Plaintiff re-checked his credit reports and Defendant failed to communicate that the debt was disputed.

11. Defendant's publishing of such inaccurate and incomplete information has severely damaged the personal and credit reputation of Plaintiff and caused severe humiliation, emotional distress and mental anguish.

**V. FIRST CLAIM FOR RELIEF  
15 U.S.C. §1692e(8)**

12. Plaintiff re-alleges and reincorporates all previous paragraphs as if fully set out herein.
13. Defendant violated the FDCPA.
14. Defendant's violations include, but are not limited to, the following: Defendant violated 15 U.S.C § 1692e(8) of the FDCPA by failing to disclose to the consumer reporting agencies that alleged debt was in dispute by Plaintiff.
15. As a result of the above violations of the FDCPA, the Defendant is liable to Plaintiff for actual damages, statutory damages and costs.

**VI. JURY DEMAND AND PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully demands a jury trial and requests that judgment be entered in favor of Plaintiff and against the Defendant:

- A. Judgment for violations of the FDCPA;
- B. Actual damages pursuant to 15 U.S.C 1692k(1)(2);
- C. Statutory damages pursuant to 15 U.S.C 1692k(2);
- D. Cost and reasonable attorney's fees pursuant to 15 U.S.C 1692k(3);
- E. For such other and further relief as the Court may deem just and proper.

Respectfully submitted,

Dated: January 15, 2021

By: s/ Tiffany Hill  
Tiffany Hill, Esq. (OBA# 31332)  
PO Box 5302  
Edmond, OK 73083  
(318) 512-5189  
thlegalconsulting@gmail.com  
*ATTORNEY FOR PLAINTIFF*